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April 25, 2008  
Date

Marlene Capreri  
Signature of certifier

Marlene Capreri  
Printed name

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:	Patent Application of Ulrich Issberner <i>et al.</i>	: Group Art Unit: 1711
Appln. No.:	10/599,682	: Examiner: To be assigned
Filed:	July 30, 2007	: Confirmation No.: 2782
For:	FATTY ACID ESTERS, PROCESSES FOR THEIR PRODUCTION AND INCORPORATION INTO COSMETIC AND/OR PHARMACEUTI- CAL FORMULATIONS (as amended)	: Attorney Docket No.: C 2906 PCT/US : Customer Number: 23657

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please make the following corrections of the Filing Receipt for Serial No. 10/599,682.

In the **Applicant(s)** section the name of the fourth inventor should be corrected, as follows:

Stefan Bruening, Philadelphia, PA

In the **Foreign Applications** section the application number should be corrected, as follows:

GERMANY 10 2004 017 222.6 04/05/2004

In the **Title** section the title should be corrected, as follows:

Fatty Acid Esters, Processes for Their Production and Incorporation Into Cosmetic and/or Pharmaceutical Formulations

Appl. No.: 10/599,682  
Grp./A.U.: 1711

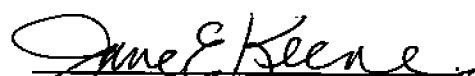
Thank you for your assistance in these matters.

Respectfully submitted,

April 25, 2008

Date

Cognis Corporation  
300 Brookside Avenue  
Ambler, PA 19002



Jane E. Keene  
Reg. No. 36,014  
Attorney for Applicants  
215-628-1474

Enc.: (1) Filing Receipt (true copy marked to show corrections)  
(2) Executed Declaration (true copy showing correct information)  
(3) First page of Markedup Specification  
(4) First page of Substitute Specification

TEK/me



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
10/599,682	07/30/2007	1711	1160	C 2906 PCT/US	20	3

CONFIRMATION NO. 2782

23657  
**COGNIS CORPORATION**  
 PATENT DEPARTMENT  
 300 BROOKSIDE AVENUE  
 AMBLER, PA 19002

FILING RECEIPT



OC000000026445703

Date Mailed: 10/26/2007

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

**Applicant(s)**

Ulrich Issberner, Rommerskirchen, GERMANY;  
 Catherine Weichold, Aachen, GERMANY;  
 Achim Ansmann, Erkrath, GERMANY;  
 Stefan Bruening, Philadelphia, PA;  
 Helga Gondek, Duesseldorf, GERMANY;

**Power of Attorney:** None

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/EP05/03234 03/26/2005

**Foreign Applications**

GERMANY 10 2004 017-22-6 04/05/2004

**If Required, Foreign Filing License Granted:** 10/24/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/599,682**

**Projected Publication Date:** 01/31/2008

**Non-Publication Request:** No

RECEIVED COGNIS LAW DEPT.  
 ACTION \_\_\_\_\_ INFO \_\_\_\_\_

**Early Publication Request:** No

OCT 30 2007

page 1 of 3

DUE \_\_\_\_\_  
 FILE \_\_\_\_\_

ENTERED  
 WINPAT DATABASE

**Title**

FATTY ACID ESTERS, PROCESSES FOR THEIR PRODUCTION AND INCORPORATION INTO  
-Sensory Wax for Cosmetic and/or Pharmaceutical Formulations

**Preliminary Class**

528

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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Patent and Trademark Office

## DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION

Declaration Submitted with Initial Filing      OR       Declaration Submitted after Initial Filing

Attorney Docket Number  
C 2906 PCT/US

First Named Inventor  
Ulrich ISSBERNER

COMPLETE IF KNOWN

Application Number  
10/599,682

Filing Date

Group Art Unit

Examiner Name

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### SENSORY WAX FOR COSMETIC AND/OR PHARMACEUTICAL FORMULATIONS

the specification of which

(Title of the Invention)

is attached hereto

OR

was filed on (MM/DD/YYYY) 03/26/2005 as United States Application Number or PCT International

Application Number PCT/EP2005/003234 and was amended on (MM/DD/YYYY)   (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States of America, listed below having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
		YES	NO	
10 2004 017 222.6	DE	04/05/2004	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	Additional provisional application numbers are listed on a supplemental priority sheet attached hereto.
		<input type="checkbox"/>

Burden Hour Statement: This form is estimated to take .4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Type a plus sign (+) inside this box +

C 2906 PCT/US

## DECLARATION

Page 2

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s), or §365(e) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 35, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
	PCT/EP2005/003234	03/26/2005	

Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet attached hereto.

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

<input checked="" type="checkbox"/> Firm Name OR	23657	Customer Number or label	
---	-------	--------------------------	--

List Attorney(s) and/or agent(s) name and registration number below:

Name	Registration Number	Name	Registration Number

Additional attorney(s) and/or agent(s) named on a supplemental sheet attached hereto.

Please direct all correspondence to:  Customer Number or label 23657 OR  Fill in correspondence address below

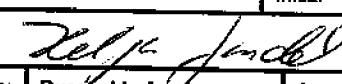
Name			
Address			
Address			
City	State	Zip	
Country	Telephone	Fax	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 101 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name	Ulrich	Middle Initial		Family Name	ISSBERNER		Suffix e.g. Jr.	
Inventor's Signature	<i>Ulrich Ulrich</i>				Date	10-9-2006		
Residence: City	Rommerskirchen	State		Country	Germany		Citizenship	German
Post Office Address	Uferstrasse 25							
Post Office Address								
City	41569 Rommerskirchen	State	Zip	Country	Germany	Applicant Authority		
<input checked="" type="checkbox"/>	Additional inventors are being named on supplemental sheet(s) attached hereto							

Type a plus sign (+) inside this box +

C 2906 PCT/US

DECLARATION					ADDITIONAL INVENTOR(S) Supplemental Sheet				
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	Catherine		Middle Initial	Family Name	WEICHOLD			Suffix e.g. Jr.	
Inventor's Signature						Date	04/10/2006		
Residence: City	Aachen		State	Country	Germany		Citizenship	Swiss	
Post Office Address	Marienbongard 10								
Post Office Address									
City	52062 Aachen		State	Zip	Country	Germany	Applicant Authority		
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	Achim		Middle Initial	Family Name	ANSMANN			Suffix e.g. Jr.	
Inventor's Signature						Date	29.9.06		
Residence: City	Erkrath		State	Country	Germany		Citizenship	German	
Post Office Address	Kirchberg 25								
Post Office Address									
City	40699 Erkrath		State	Zip	Country	Germany	Applicant Authority		
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	Stefan		Middle Initial	Family Name	BRUENING			Suffix e.g. Jr.	
Inventor's Signature						Date	10/10/06		
Residence: City	Philadelphia		State	PA	Country	USA	Citizenship	German	
Post Office Address	32 East Springfield Avenue								
Post Office Address									
City	Philadelphia		State	PA	Zip	19118	Country	USA	Applicant Authority
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	Helga		Middle Initial	Family Name	GONDEK			Suffix e.g. Jr.	
Inventor's Signature						Date	29.9.2006		
Residence: City	Duesseldorf		State	Country	Germany		Citizenship	German	
Post Office Address	Nosthoffenstrasse 36								
City	40589 Duesseldorf		State	Zip	Country	Germany	Applicant Authority		
<input type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto									

MARKED-UP SPECIFICATION

PATENT  
CASE NO.: C 2906 PCT/US

TITLE

**Sensory Wax Fatty Acid Esters, Processes For Their Production and for Incorporation Into Cosmetic and/or Pharmaceutical Formulations**

**Related Applications**

This application is a national phase filing under 35 U.S.C. § 371 and claims priority to International Application No. PCT/EP2005/003234 which has an International filing date of March 26, 2005, and which designated the United States of America and which claims priority to German Application No. 10 2004 017 222.6, filed April 5, 2004, the entire disclosures of which are hereby incorporated herein by reference.

**Field of the Invention**

5        This invention relates generally to fatty acid esters, and more particularly to wax-like fatty acid esters of pentaerythritol or oligomers of pentaerythritol, and to a process for their production, and a cosmetic and/or pharmaceutical composition containing same. The invention also relates to compositions based on these esters and to their use as skin-care  
10      preparations.

**Prior Art Background Information**

Wax-based formulations have long been known to the expert and are used *inter alia* for cosmetic and pharmaceutical formulations, such as  
15      suppositories for example, various cosmetic compositions in stick form or in creams and lotions, for coating papers and textiles, etc. Numerous wax-like substances and mixtures of such substances are available to the expert for this purpose. These include, for example, glycerides and fatty alcohols which have a critical effect on the sensory profile of the final  
20      formulations. Thus, glycerides leave the skin with an often oily/greasy feeling. Fatty alcohols lead to the formation of white residues which users find to be a major disadvantage. Silicone oils are often added to

## SUBSTITUTE SPECIFICATION

PATENT  
CASE NO.: C 2906 PCT/US

### TITLE

#### **Fatty Acid Esters, Processes For Their Production and Incorporation Into Cosmetic and/or Pharmaceutical Formulations**

### Related Applications

This application is a national phase filing under 35 U.S.C. § 371 and claims priority to International Application No. PCT/EP2005/003234 which has an 5 international filing date of March 26, 2005, and which designated the United States of America and which claims priority to German Application No. 10 2004 017 222.6, filed April 5, 2004, the entire disclosures of which are hereby incorporated herein by reference.

### **10 Field of the Invention**

This invention relates generally to fatty acid esters, and more particularly to wax-like fatty acid esters of pentaerythritol or oligomers of pentaerythritol, a process for their production, and a cosmetic and/or pharmaceutical composition containing same.

15

### Background Information

Wax-based formulations have long been known to the expert and are used *inter alia* for cosmetic and pharmaceutical formulations, such as suppositories for example, various cosmetic compositions in stick form or in 20 creams and lotions, for coating papers and textiles, etc. Numerous wax-like substances and mixtures of such substances are available to the expert for this purpose. These include, for example, glycerides and fatty alcohols which have a critical effect on the sensory profile of the final formulations. Thus, glycerides leave the skin with an often oily/greasy feeling. Fatty alcohols lead to the 25 formation of white residues which users find to be a major disadvantage.